

**THIRD REVIEW CONFERENCE
OF THE HIGH CONTRACTING PARTIES TO THE
CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE
OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED
TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE
EFFECTS**

FINAL DOCUMENT

Part III

DOCUMENTS OF THE THIRD REVIEW CONFERENCE

Geneva, 7-17 November 2006

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I. AGENDA OF THE THIRD REVIEW CONFERENCE

As adopted at the first plenary meeting of the Conference on 7 November 2006

1. Opening of the Third Review Conference.
2. Confirmation of the nomination of the President-designate.
3. Adoption of the agenda.
4. Adoption of the rules of procedure.
5. Confirmation of the nomination of the Secretary-General of the Conference.
6. Organisation of work including that of the subsidiary bodies of the Conference.
7. Election of Vice-Presidents of the Review Conference, Chairpersons and Vice-Chairpersons of the Drafting Committee, the Credentials Committee and the Main Committees.
8. Appointment of the Credentials Committee.
9. Message from the Secretary-General of the United Nations.
10. Submission of the report of the Group of Governmental Experts.
11. General exchange of views (Plenary).
12. Review of the scope and operation of the Convention and its annexed Protocols.
13. Consideration of any proposal for the Convention and its existing Protocols.
14. Consideration of proposals for additional protocols to the Convention.
15. Report of the Credentials Committee.
16. Reports of the Main Committees.
17. Report of the Drafting Committee.
18. Consideration and adoption of the final documents.
19. Other matters.

II. PROGRAMME OF WORK OF THE THIRD REVIEW CONFERENCE

As adopted at the first plenary meeting of the Conference on 7 November 2006

	6 November Monday	7 November Tuesday	8 November Wednesday	9 November Thursday	10 November Friday
Plenary Meetings	CCW AP II 8 th Annual Conference	Agenda items 1 – 10, Agenda item 11 - General exchange of views (possible High level segment)	Agenda item 11 - General exchange of views (possible High level segment and NGO statements)		
Main Committee I				a.m.	a.m.
Main Committee II				p.m.	p.m.
Drafting Committee					
Credentials Committee					
General Committee					

	13 November Monday	14 November Tuesday	15 November Wednesday	16 November Thursday	17 November Friday
Plenary Meetings	Special plenary meeting to mark the entry into force of CCW Protocol V (possible High level segment and NGO statements) (a.m.)				Agenda items 15– 19: Reports of the Credentials Committee, the Main Committees and the Drafting Committee. Consideration and adoption of the final documents. Other matters
Main Committee I		a.m.	a.m.		
Main Committee II		p.m.	p.m.		
Drafting Committee	p.m.			a.m. and p.m.	
Credentials Committee	p.m.				
General Committee					

**III. RULES OF PROCEDURE OF THE THIRD REVIEW CONFERENCE OF THE
STATES PARTIES TO THE CONVENTION ON PROHIBITIONS OR
RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS
WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE
INDISCRIMINATE EFFECTS**

As adopted with oral amendments at the first plenary meeting of the Conference on
7 November 2006

CHAPTER I

REPRESENTATION AND CREDENTIALS

Composition of delegations

Rule 1

1. Each State Party to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (hereinafter “the Convention”) may be represented at the Review Conference. States non-parties to the Convention may participate as observers.
2. The delegation of each State participating in the Conference shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Designated representatives

Rule 2

An alternative representative or an adviser may act as a representative upon designation by the head of delegation.

Submission of credentials

Rule 3

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not later than 24 hours after the opening of the Conference. Any later change in the composition of delegations shall also be submitted to the Secretary-General of the Conference. The credentials shall be issued by the Head of State or Government, or by the Minister for Foreign Affairs.

Credentials Committee

Rule 4

1. There shall be a Credentials Committee of five members elected by the Conference on the proposal of the President.
2. The Credentials Committee shall examine the credentials of representatives and report to the Conference.

Provisional participation

Rule 5

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

CHAPTER II

OFFICERS

Elections

Rule 6

The Conference shall elect from among the States parties participating in the Conference a President, ten Vice-Presidents as well as the Chairperson and a Vice-Chairperson for each of the Main Committees, the Drafting Committee and the Credentials Committee. These officers shall be elected so as to ensure the representative character of the General Committee provided for in rule 10.

Acting President

Rule 7

1. If the President finds it necessary to be absent from a meeting or any part thereof, he shall designate one of the Vice-Presidents to take his place.
2. A Vice-President acting as President shall have the same powers and duties as the President.

Replacement of the President

Rule 8

If the President is unable to perform his functions, a new President shall be elected.

Participation of the President in decision-making

Rule 9

The President, or a Vice-President acting as President, shall not participate in making decisions, but may designate another member of his delegation to do so in his place.

CHAPTER III

GENERAL COMMITTEE

Composition

Rule 10

The General Committee shall be composed of the President, who shall preside, ten Vice-Presidents, the Chairpersons and the Vice-Chairpersons of the Main Committees, the Drafting Committee and the Credentials Committee.

Substitute members

Rule 11

1. In case of absence, the President or a Vice-President, may designate a member of his delegation as his substitute.
2. In case of absence, the Chairpersons and the Vice-Chairpersons of the Main Committees or of the Drafting Committee or of the Credentials Committee shall designate another officer of the respective Committee or, if none is available, a member thereof as his substitute. However, such a substitute shall not have the right to participate in making decisions if he is of the same delegation as another member of the General Committee.

Chairperson

Rule 12

The President or, in his absence, one of the Vice-Presidents designated by him, shall serve as Chairperson of the General Committee.

Functions

Rule 13

In addition to carrying out other functions provided for in these rules, the General Committee shall assist the President in the general conduct of the business of the Conference and, subject to decisions of the Conference, shall ensure the coordination of its work.

CHAPTER IV

SECRETARIAT

Duties of the Secretary-General

Rule 14

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its Committees and working groups, and may designate a member of the Secretariat to act in his place at these meetings.
2. The Secretary-General of the Conference shall direct the staff required by the Conference and its subsidiary organs.

Duties of the secretariat

Rule 15

The secretariat of the Conference shall, in accordance with these rules:

- (a) Interpret speeches made at meetings;
- (b) Receive, translate, reproduce and distribute the documents of the Conference;
- (c) Publish and circulate the instruments adopted by the Conference, including its Final Document, and all the official documents of the Conference;
- (d) Prepare and circulate summary records of plenary meetings;
- (e) Make and arrange for the keeping of sound recordings of meetings;
- (f) Arrange for the custody and preservation of the records of the Conference in the Archives of the United Nations; and
- (g) Generally perform all other work required in connection with the servicing of the Conference.

Costs

Rule 16

The costs of the Review Conference will be met by the States parties to the Convention participating in the Review Conference in accordance with the United Nations scale of assessment, adjusted to take into account differences between the United Nations membership and the participation of States parties in the Conference. States which are not States parties to the Convention and which accept the invitation to take part in the Review Conference will share in the costs to the extent of their respective rates of assessment under the United Nations scale.

Statements by the secretariat

Rule 17

The Secretary-General or any member of the secretariat designated for that purpose may, subject to rule 20, make either oral or written statements concerning any question under consideration.

CHAPTER V

CONDUCT OF BUSINESS

Quorum

Rule 18

A majority of the States Parties to the Convention participating in the Conference shall constitute a quorum.

General powers of the President

Rule 19

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each such meeting, direct the discussions, accord the right to speak, put questions to the Conference for decision and announce such decisions. He shall rule on points of order and, subject to these rules, have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representatives of each participant may speak on a question, the adjournment or closure of the debate, and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

Points of order

Rule 20

A representative may at any time raise a point of order, which shall be decided upon immediately by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be put to the Conference for decision immediately, and the President's ruling shall stand unless overruled by the Conference. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 21

1. No one may address the Conference without having previously obtained the permission of the President, who shall, subject to rules 19 and 20 and 22 to 26, call upon speakers in the order in which they signify their desire to speak.
2. Debate shall be confined to the question before the Conference and the President may call a speaker to order if his remarks are not relevant to the subject under discussion.
3. The Conference may limit the time allowed to speakers and the number of times the representatives of each participant may speak on a question; a motion to set such limit shall be put to the Conference for decision immediately. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 22

The Chairperson or another representative of a subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by that organ.

Closing of the list of speakers

Rule 23

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When there are no more speakers on the list, the President may declare the debate closed.

Rights of reply

Rule 24

The right of reply shall be accorded by the President to a representative of a State participating in the Conference who requests it; any other representative may be granted the opportunity to make a reply. Representatives should attempt, in exercising this right, to be as brief as possible and preferably to deliver their statements at the end of the meeting at which this right is requested.

Suspension or adjournment of the meeting

Rule 25

A representative may at any time move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be put to the Conference for decision immediately.

Adjournment of debate

Rule 26

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of and two against the motion, after which it shall be put to the Conference for decision immediately.

Closure of debate

Rule 27

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified a wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be put to the Conference for decision immediately.

Order of motions

Rule 28

Subject to rule 19, the following motions shall have precedence in the indicated order over all other proposals or motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate;
- (d) To close the debate.

Basic proposals

Rule 29

The draft proposals submitted to the Conference by the Group of Governmental Experts of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects shall constitute the basic proposals for consideration by the Conference.

Submission of other proposals and substantive amendments

Rule 30

Other proposals and substantive amendments shall normally be introduced in writing and handed to the Secretary-General of the Conference, who shall circulate copies to all delegations in the languages of the Conference. As a general rule, no proposal shall be discussed or put to a decision unless copies of it have been circulated to all delegations in their respective working languages not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

Withdrawal of proposals and motions

Rule 31

A proposal or motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or motion thus withdrawn may be reintroduced by any representative.

Decisions on competence

Rule 32

Any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal submitted to it shall be decided before the matter is discussed or a decision is taken on the proposal in question.

Reconsideration

Rule 33

When a proposal or motion has been adopted or rejected it may not be reconsidered unless the Conference takes a decision to that effect. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the matter shall be put to the Conference for decision immediately.

CHAPTER VI

DECISION-MAKING

Adoption of decisions

Rule 34

The Conference shall conduct its work and take decisions in accordance with Article 8 of the Convention.

CHAPTER VII

SUBSIDIARY ORGANS

Main Committees

Rule 35

There shall be two Main Committees, which shall receive their assignments from the Conference and report to it.

Drafting Committee

Rule 36

1. There shall be a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other States may also attend the meetings of the drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

Working groups

Rule 37

The Conference and the Main Committees may establish working groups.

Officers

Rule 38

Each subsidiary organ shall have a Chairperson, a Vice-Chairperson and such other officers as it considers necessary.

Applicable rules

Rule 39

The rules contained in Chapters II, V and VII shall be applicable, mutatis mutandis, to the proceedings of subsidiary organs, except that:

- (a) The Chairperson of subsidiary organs may participate in making decisions;
- (b) A majority of the representatives on any subsidiary organ of limited membership shall constitute a quorum.

CHAPTER VIII

LANGUAGES AND RECORDS

Languages of the Conference

Rule 40

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation

Rule 41

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.
2. A representative may speak in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other such languages by interpreters of the secretariat may be based on the interpretation given in the first such language.

Languages of official documents

Rule 42

Official documents and all instruments adopted by the Conference, including its Final Document, shall be made available in the languages of the Conference.

Records and sound recordings of meetings

Rule 43

1. Summary records of the plenary meetings of the Conference shall be prepared and circulated as soon as possible in all the languages of the Conference, to all representatives, who shall inform the secretariat, within five working days after such circulation, of any corrections they wish to have made.
2. The secretariat shall make sound recordings of meetings of the Conference and of the Main Committees. Such recordings shall be made of meetings of other subsidiary organs when the body concerned or the organ that established it so decides.

CHAPTER IX

PUBLIC AND PRIVATE MEETINGS

Plenary and Committees

Rule 44

The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise, for instance for the negotiation of proposals.

Working groups

Rule 45

As a general rule, meetings of other committees and working groups shall be held in private.

CHAPTER X

OTHER PARTICIPANTS AND OBSERVERS

Representatives of Organizations which have been granted observer status in the United Nations

Rule 46

Representatives designated by any Organization having been granted observer status in the United Nations by a resolution of the General Assembly may participate as observer in the deliberations of the Conference and in its subsidiary organs.

Representatives of United Nations organs, of related agencies and of other intergovernmental organizations

Rule 47

Representatives designated by organs of the United Nations, by specialized or other related agencies and by other intergovernmental organizations invited to the Conference may participate as observers in its deliberations and in its subsidiary organs.

International Committee of the Red Cross

Rule 48

Representatives designated by the International Committee of the Red Cross may participate as observers in the deliberations of the Conference and in its subsidiary organs in order, in particular, that the Conference may avail itself of the relevant expertise of the International Committee of the Red Cross.

Representatives of non-governmental organizations

Rule 49

1. Non-governmental organizations may designate representatives to attend public meetings of the Conference and its Main Committees and to make available written contributions on matters on which they have a special competence, at their own cost. They will also be entitled upon request to receive the documents of the Conference.
2. Upon the invitation of the presiding officer of the plenary and subject to the approval of that body, representatives of such organizations may make oral statements on questions in which they have a special competence in plenary meetings.

Written statements

Rule 50

Written statements submitted by the designated representatives referred to in rules 46 to 48 shall be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution.

CHAPTER XI

AMENDMENT OR SUSPENSION OF THE RULES OF PROCEDURE

Method of amendment

Rule 51

These rules may be amended by a decision of the Conference upon recommendation of the General Committee.

Method of suspension

Rule 52

These rules may be suspended by a decision of the Conference, provided that 24 hours notice of the motion for suspension has been given, which may be waived if no representative objects; subsidiary organs may, by their own decisions, waive rules pertaining to them. Any suspension shall be limited to a specific and stated purpose and to the period required to achieve it.

IV. REPORT OF THE CREDENTIALS COMMITTEE

As approved by the Conference at its final plenary meeting on 17 November 2006

1. Rule 4 of the Rules of Procedure of the Third Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW/CONF.III/3) provides that:

“1. There shall be a Credentials Committee of five members elected by the Conference on the proposal of the President.

2. The Credentials Committee shall examine the credentials of representatives and report to the Conference.”

2. The Third Review Conference, at its first plenary meeting, on 7 November 2006, on the proposal of the President, appointed the following countries as members of the Credentials Committee: Australia, Croatia, Mexico, Slovakia and South Africa.

3. The Committee held two meetings on 10 and 17 November 2006 to examine the credentials received as of those dates. Ambassador Gordan Markotić of Croatia chaired the Committee. Mr. Enrique Ochoa (Mexico) served as Vice-Chairperson of the Committee. Mr Bantan Nugroho, Political Affairs Officer, served as Secretary of the Committee.

4. The Committee held its first meeting on 10 November 2006 and had before it the memorandum from Mr. Peter Kolarov, the Secretary-General of the Conference, dated 10 November 2006, containing information on the status of the credentials of the representatives of the States Parties attending the Conference.

5. At the same meeting, the Committee took note of the information reported by the Secretary-General of the Conference and decided to accept the credentials of the States Parties which had submitted formal credentials in due form, as well as of the States Parties which had presented provisional credentials on the understanding that the originals of the credentials of the latter would be submitted as soon as possible, in accordance with Rule 3 of the Rules of Procedure. The Committee agreed to invite those States Parties, that had not yet done so, to submit to the Secretary-General of the Conference the credentials of their representatives in accordance with Rule 3 of the Rules of Procedure.

6. The Committee held its second meeting on 17 November 2006 and had before it the memorandum from the Secretary-General of the Conference, dated 17 November 2006, containing updated information on the status of the credentials of the representatives of the States Parties attending the Conference

7. At the same meeting, the Committee examined the information contained in the Secretary-General's memoranda, as well as the documentation received from States Parties and States not parties to the Convention, and noted as follows:

I. Legal framework

Rule 3 of the Rules of Procedure provides that:

“The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not later than 24 hours after the opening of the Conference. Any later change in the composition of delegations shall also be submitted to the Secretary-General of the Conference. The credentials shall be issued by the Head of State or Government, or by the Minister for Foreign Affairs.”

II. States Parties

As of 10.00 a.m. on 17 November 2006:

(a) Formal credentials in due form, as provided for by Rule 3 of the Rules of Procedure, had been communicated to the Secretary-General of the Conference for representatives from the following States Parties: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Malta, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Russian Federation, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, and United States of America.

(b) Provisional credentials for the representatives of the following States Parties had been communicated to the Secretary-General of the Conference: Cuba, Denmark, El Salvador, Germany, Moldova, Philippines, Romania, Senegal, and The former Yugoslav Republic of Macedonia.

(c) The designation of the representatives of the following States Parties had been communicated to the Secretary-General of the Conference by notes verbale or official letters: Bangladesh, Benin, Colombia, Costa Rica, Ecuador, Lao People's Democratic Republic, Lesotho, Luxembourg, Monaco, and Venezuela (Bolivarian Republic of).

III. States not Parties

As of 10.00 a.m. on 17 November 2006, the following States not parties to the Convention, which had been among those invited as observers, had accredited their representatives:

(a) States which have ratified or otherwise acceded to the Convention, but for which it is not yet in force: none.

(b) Signatories: Afghanistan and Egypt.

(c) Non-signatories: Azerbaijan, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Guinea, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Myanmar, Nepal, Qatar, Saudi Arabia, Singapore, Syrian Arab Republic, United Arab Emirates, Yemen, and Zimbabwe.

8. On the proposal of the Chairman, the Committee agreed to accept the credentials of all those States Parties referred to in paragraph 7 II (a), (b) and (c), above, on the understanding that the originals of the credentials of the representatives of those States Parties referred to in paragraph 7 II (b) and (c) would be submitted as soon as possible, in accordance with Rule 3 of the Rules of Procedure.

9. In view of the foregoing, at its second meeting on 17 November 2006, the Committee decided to recommend for adoption by the Conference the draft resolution, as contained in the Annex.

10. At the same meeting, the Committee adopted by consensus its draft report (CCW/CONF.III/CC/CRP.1), which is being issued as document CCW/CONF.III/CC/1.

Annex

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

The Credentials Committee recommends to the Conference the adoption of the following draft resolution¹:

“REPORT OF THE CREDENTIALS COMMITTEE TO THE THIRD REVIEW
CONFERENCE OF THE STATES PARTIES TO THE CONVENTION ON
PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN
CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY
INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

*The Third Review Conference of the States Parties to the Convention on
Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be
Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,*

Having considered the report of the Credentials Committee and the
recommendation contained therein,

Approves the report of the Credentials Committee.”

¹ The resolution was adopted by the Conference at its final plenary meeting, on 17 November 2006.

V. REPORT OF MAIN COMMITTEE I

As noted by the Conference at its plenary meeting on 16 November 2006

1. Rule 35 of the Rules of Procedure of the Third Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects provides that:

“There shall be two Main Committees, which shall receive their assignments from the Conference and report to it.”

2. The Third Review Conference, at its first plenary meeting, on 7 November 2006, decided to entrust Main Committee I with the mandate to “review of the scope and operation of the Convention and its annexed Protocols, to consider any proposal for the Convention and its existing Protocols, and to consider and prepare the final document.”

3. The Committee held meetings from 8 to 16 November 2006, chaired by Ambassador Edvardas Borisovas of Lithuania, as Chairperson of the Committee, and Ms. Katherine Baker of United States of America, as Vice-Chairperson of the Committee. Mr. Peter Kolarov, Political Affairs Officer of the United Nations Department for Disarmament Affairs (Geneva Branch), served as Secretary of the Committee.

4. At its first meeting, on 8 November 2006, the Committee adopted its Agenda (CCW/CONF.III/4 with oral amendments), and its Programme of Work (CCW/CONF.III/7/Add.4 - CCW/GGE/XV/6/Add.4).

5. In the course of its consideration of items 12 and 13 of the Agenda of the Third Review Conference, entitled respectively “Review of the scope and operation of the Convention and its annexed Protocols”, and “Consideration of any proposal for the Convention and its existing Protocols”, as well as in considering the final document of the Conference, the Committee had before it the following documents:

- Plan of Action to Promote Universality of the CCW (CCW/CONF.III/6 and Amend.1);
- Procedural Report. Fifteenth session of the Group of Governmental Experts (CCW/CONF.III/7-CCW/GGE/XV/6);
- Report of the President-designate on the issue of Compliance (CCW/CONF.III/7/Add.3 - CCW/GGE/XV/6/Add.3);
- Draft Final Document of the Third Review Conference (CCW/CONF.III/7/Add.7 - CCW/GGE/XV/6/Add.7 and Amend.1);
- Draft Decision on the Establishment of a Sponsorship Programme under the Convention (CCW/CONF.III/7/Add.8 - CCW/GGE/XV/6/Add.8);
- Draft Decision on Compliance (CCW/CONF.III/8 and Amend.1);
- Proposal for a Mandate to Study Laser Systems (CCW/CONF.III/WP.2);
- Proposal for a Preambular Paragraph of the Final Declaration to be Adopted at the Third Review Conference (CCW/CONF.III/WP.4);
- Proposal of Amendment to document CCW/CONF.III/7/ADD.7-CCW/GGE/XV/6/ADD.7 entitled “Draft Final Document” (CCW/CONF.III/WP.7);

- Proposal of Amendment to document CCW/CONF.III/7/ADD.7-CCW/GGE/XV/6/ADD.7 entitled "Draft Final Document" (CCW/CONF.III/WP.8);
- Proposal of Amendment to document CCW/CONF.III/7/ADD.7-CCW/GGE/XV/6/ADD.7 entitled "Draft Final Document" (CCW/CONF.III/WP.9);
- Issues to be studied on Military Laser Systems (CCW/CONF.III/WP.10);
- Proposal of Amendment to document CCW/CONF.III/7/ADD.7-CCW/GGE/XV/6/ADD.7 entitled "Draft Final Document" (CCW/CONF.III/WP.11);
- Proposal of Amendment to document CCW/CONF.III/7/ADD.7-CCW/GGE/XV/6/ADD.7 entitled "Draft Final Document" (CCW/CONF.III/WP.12);
- Proposal of Amendment to document CCW/CONF.III/7/ADD.7-CCW/GGE/XV/6/ADD.7 entitled "Draft Final Document" (CCW/CONF.III/WP.13).

6. The Committee adopted the Plan of Action to Promote Universality of the Convention, as contained in CCW/CONF.III/6 and Amend.1; the Decision on the Establishment of a Sponsorship Programme under the Convention, as contained in CCW/CONF.III/7/Add.8 - CCW/GGE/XV/6/Add.8; the text of the Decision on a Compliance mechanism applicable to the Convention, as contained in CCW/CONF.III/8 and Amend.1, with paragraph 15 being the subject of further consultations, as well as the Draft Final Document, as contained in CCW/CONF.III/7/Add.7 - CCW/GGE/XV/6/Add.7 and Amend.1 and recommended the Draft Final Document for adoption by the Conference.

7. At its final meeting on 16 November 2006, the Committee adopted its draft report (CCW/CONF.III/MC.I/CRP.1), which is being issued as document CCW/CONF.III/MC.I/1.

Annex I

Agenda of Main Committee I

As adopted by the Committee on 8 November 2006

1. Opening of the meeting by the Chairperson.
2. Review of the scope and operation of the Convention and its annexed Protocols. General statements regarding new proposals.
3. Consideration of possible options to promote compliance with the Convention and its annexed Protocols¹.
4. Consideration of the scope and operation of the Convention and its annexed Protocols:
 - (a) Plan of Action on the Universalization of the Convention and its annexed Protocols;
 - (b) Establishment of a Sponsorship Programme under the Convention.
5. Consideration of Laser Systems.
6. Consideration of procedural matters and follow-up.
7. Any other matters.
8. Conclusions.

¹ In accordance with the mandate as contained in paragraph 32 of CCW/MSP/2005/2, dated 14 February 2006.

Annex II

Programme of Work of Main Committee I

As adopted by the Committee on 8 November 2006

DATE	AGENDA ITEM	TITLE
Thursday, 9 November 2006 10 a.m. - 1 p.m.	1	Opening of the meeting by the Chairperson
	2	Review of the scope and operation of the Convention and its annexed Protocols. General statements regarding new proposals
Friday, 10 November 2006 10 a.m. - 1 p.m.	3	Consideration of possible options to promote compliance with the Convention and its annexed Protocols ¹
Tuesday, 14 November 2006 10 a.m.-1 p.m.	4	Consideration of the scope and operation of the Convention and its annexed Protocols:
	4 (a)	Plan of Action on the universalization of the Convention and its annexed Protocols;
	4 (b)	Establishment of a Sponsorship Programme under the Convention.
Wednesday, 15 November 2006 10 a.m.-1 p.m.	5	Consideration of Laser Systems
	6	Consideration of procedural matters and follow-up
	7	Any other matters
	8	Conclusions

¹ In accordance with the mandate as contained in paragraph 32 of CCW/MSP/2005/2 dated 14 February 2006.

VI. REPORT OF MAIN COMMITTEE II

As noted by the Conference at its plenary meeting on 16 November 2006

1. Rule 35 of the Rules of Procedure of the Third Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects provides that:

“There shall be two Main Committees, which shall receive their assignments from the Conference and report to it.”

2. The Third Review Conference, at its first plenary meeting, on 7 November 2006, decided to entrust Main Committee II with the mandate to “consider proposals for additional protocols to the Convention.”

3. The Committee held meetings from 8 to 16 November 2006, chaired by Ambassador Carlos Antonio da Rocha Paranhos of Brazil, Chairperson of the Committee. Mr. Vladimir Novokhatskiy of Russian Federation served as Vice-Chairperson of the Committee. Mr. Peter Kolarov, Political Affairs Officer of the United Nations Department for Disarmament Affairs (Geneva Branch), served as Secretary of the Committee.

4. At its first meeting, on 8 November 2006, the Committee adopted its Agenda (CCW/CONF.III/5 with oral amendments), and its Programme of Work (CCW/CONF.III/7/Add.5- CCW/GGE/XV/6/Add.5 with oral amendments).

5. In the course of its consideration of item 14 of the Agenda of the Third Review Conference, entitled “Consideration of proposals for additional protocols to the Convention”, the Committee had before it the following documents:

- Procedural Report. Fifteenth session of the Group of Governmental Experts (CCW/CONF.III/7 – CCW/GGE/XV/6);
- Report on the Work on Explosive Remnants of War (CCW/CONF.III/7/Add.1 - CCW/GGE/XV/6/Add.1);
- Report on the Work in 2006 on Mines other than Anti-personnel Mines (CCW/CONF.III/7/Add.2 – CCW/GGE/XV/6/Add.2);
- Proposal for a mandate to Negotiate a Legally-Binding Instrument that Addresses the Humanitarian Concerns Posed by Cluster Munitions (CCW/CONF.III/WP.1);
- Proposal for a Mandate on Explosive Remnants of War (CCW/CONF.III/WP.3);
- European Union comments on the report by the Coordinator and the Chairperson of the Meetings of Military Experts on the work in 2006 on MOTAPM (CCW/CONF.III/WP.5);
- An integrated approach to efforts to ensure more effective protection of civilians from Mines Other Than Anti-Personnel Mines (CCW/CONF.III/WP.6);
- Proposal for a Decision on a Mandate on Cluster Munitions (CCW/CONF.III/WP.14);
- Proposal for a Mandate on Explosive Remnants of War (CCW/CONF.III/WP.15).

6. At its final meeting on 16 November 2006, the Committee adopted its draft report (CCW/CONF.III/MC.II/CRP.1), which is being issued as document CCW/CONF.III/MC.II/1.

Annex I

Agenda of Main Committee II

As adopted by the Committee on 8 November 2006

1. Opening of the meeting by the Chairperson.
2. General statements regarding new proposals.
3. Consideration of Mines Other Than Anti-Personnel Mines¹.
4. Consideration of Explosive Remnants of War².
5. Consideration of procedural matters and follow-up.
6. Any other matters.
7. Conclusions.

¹ In accordance with the mandate as contained in paragraph 31 of CCW/MSP/2005/2 dated 14 February 2006.

² In accordance with the mandate as contained in paragraph 30 of CCW/MSP/2005/2 dated 14 February 2006.

Annex II

Programme of Work of Main Committee II

As adopted by the Committee on 8 November 2006

DATE	AGENDA ITEM	TITLE
Thursday, 9 November 2006 3 p.m. - 6 p.m.	1	Opening of the meeting by the Chairperson
	2	General statements regarding new proposals
Friday, 10 November 2006 3 p.m. - 6 p.m.	3	Consideration of Mines Other Than Anti-Personnel Mines ¹
Tuesday, 14 November 2006 3 p.m. - 6 p.m.	4	Consideration of Explosive Remnants of War ²
Wednesday, 15 November 2006 3 p.m. - 6 p.m.	5	Consideration of procedural matters and follow-up
	6	Any other matters
	7	Conclusions

¹ In accordance with the mandate as contained in paragraph 31 of CCW/MSP/2005/2 dated 14 February 2006.

² In accordance with the mandate as contained in paragraph 30 of CCW/MSP/2005/2 dated 14 February 2006.

VII. REPORT OF THE DRAFTING COMMITTEE

As noted by the Conference at its plenary meeting on 16 November 2006

1. Rule 36 of the Rules of Procedure of the Third Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects provides that:

“1. There shall be a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other States may also attend the meetings of the drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.”

2. The Committee held meetings from 8 to 17 November 2006, chaired by Ambassador Jayant Prasad of India, Chairperson of the Committee. Ambassador Itzhak Levanon of Israel served as Vice-Chairperson of the Committee. Mr. Bantan Nugroho, Political Affairs Officer, served as Secretary of the Committee.

3. The Committee considered the following documents:

- Plan of Action to Promote Universality of the CCW (CCW/CONF.III/6)
- Plan of Action to Promote Universality of the CCW (CCW/CONF.III/6/Amend.1)
- Draft Declaration on the Occasion of the Entry into Force of CCW Protocol on Explosive Remnants of War (Protocol V) (CCW/CONF.III/7/Add.6)
- Draft Final Document of the Third Review Conference (CCW/CONF.III/7/Add.7)
- Draft Final Document of the Third Review Conference (CCW/CONF.III/7/Add.7/Amend.1)
- Draft Decision on the Establishment of a Sponsorship Programme under the Convention (CCW/CONF.III/7/Add.8)
- Draft Decision on Compliance (CCW/CONF.III/8)
- Draft Decision on Compliance (CCW/CONF.III/8/Amend.1)
- Draft Report of the Third Review Conference (CCW/CONF.III/CRP.1)

5. The Committee addressed drafting amendments to the draft documents referred to in paragraph 3. Subsequently, the draft documents were submitted by the Chairperson of the Committee to the Conference for adoption. The Committee adopted its draft report (CCW/CONF.III/DC/CRP.1), which is being issued as document CCW/CONF.III/DC/1.

**VIII. ESTIMATED COSTS OF THE MEETING OF THE
HIGH CONTRACTING PARTIES TO THE CONVENTION ON PROHIBITIONS
OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS
WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE
INDISCRIMINATE EFFECTS**

As adopted by the Conference at its final plenary meeting on 17 November 2006

1. The Third Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held in Geneva from 7 to 17 November 2006, decided to convene a five-day Meeting of the High Contracting Parties to the Convention on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects in Geneva from 7 to 13 November 2007.
2. This document is submitted pursuant to the above-mentioned decision of the States Parties and provides estimated costs in the amount of US\$472,100 for convening that meeting. A breakdown of these costs is provided in the attached table.
3. It should be noted that the costs are estimated on the basis of past experience and anticipated workload. The actual costs will be determined after the closure of the meeting and completion of related work, with all relevant expenditures recorded in the accounts. At that time, any adjustments in contributions by the participants sharing the costs will be determined accordingly.
4. With regard to the financial arrangements, it will be recalled that, in accordance with the practice followed on the occasion of previous multilateral disarmament conferences and related meetings, and as reflected in their Rules of Procedure, the costs are shared among the States Parties participating in the conferences, based upon the United Nations scale of assessment prorated to take into account the number of States Parties participating in the meetings. States that are not States Parties but that have accepted the invitation to take part in the meetings share in the costs to the extent of their respective rates of assessment under the United Nations scale of assessments.
5. Subject to the States Parties' approval of the estimated costs and cost-sharing formula, assessment notices will be prepared based on the overall estimated costs and applicable cost-sharing formula. Since the above-mentioned activities shall have no financial implication for the regular budget of the Organization, States Parties should proceed with the payment of their share of the estimated costs as soon as assessment notices have been received.

Title of session:

CCW - MEETING OF THE HIGH CONTRACTING PARTIES TO THE CONVENTION
GENEVA, 7 TO 13 NOVEMBER 2007

Conference-servicing items	Meeting Servicing *	Pre-session documentation *	In-session documentation *	Summary records *	Post-session documentation *	Support Services requirements *	Other requirements *	Total *
	\$	\$	\$	\$	\$	\$	\$	\$
Interpretation and meeting servicing	86,400							86,400
Translation of documentation		41,800	41,800	185,200	54,200			323,000
Support Services requirements						4,800		4,800
Other requirements							15,500	15,500
Total	86,400	41,800	41,800	185,200	54,200	4,800	15,500	429,700

* - at US\$ 1=CHF 1.25

A. Total conference-servicing requirements (inclusive of 13% programme support costs)	429,700
B. Non-conference-servicing requirements*	
1) <i>One P-3 for three months</i>	34,500
2) <i>Equipment and materials</i>	3,000
Sub-total	37,500
<i>Programme support costs @13% over B</i>	4,900
Subtotal B	42,400
Grand total (rounded) A+B	472,100

**IX. ESTIMATED COSTS OF THE 2007 MEETING OF THE GROUP OF
GOVERNMENTAL EXPERTS OF THE HIGH CONTRACTING PARTIES TO THE
CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN
CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY
INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS**

As adopted by the Conference at its final plenary meeting on 17 November 2006

1. The Third Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held in Geneva from 7 to 17 November 2006, decided to convene a four-day meeting of the Group of Governmental Experts.
2. This document is submitted pursuant to the above-mentioned decision of the States Parties and provides estimated costs in the amount of US\$297'600 for convening those meetings. A breakdown of the costs is provided in the attached tables.
3. It should be noted that the costs are estimated on the basis of past experience and anticipated workload. The actual costs will be determined after the closure of the meeting and completion of related work, with all relevant expenditures recorded in the accounts. At that time, any adjustments in contributions by the participants sharing the costs will be determined accordingly.
4. With regard to the financial arrangements, it will be recalled that, in accordance with the practice followed on the occasion of previous multilateral disarmament conferences and related meetings, and as reflected in their Rules of Procedure, the costs are shared among the States Parties participating in the conferences, based upon the United Nations scale of assessment prorated to take into account the number of States Parties participating in the meetings. States that are not States Parties but that have accepted the invitation to take part in the meetings share in the costs to the extent of their respective rates of assessment under the United Nations scale of assessments.
5. Subject to the States Parties' approval of the estimated costs and cost-sharing formula, assessment notices will be prepared based on the overall estimated costs and applicable cost-sharing formula. Since the above-mentioned activities shall have no financial implication for the regular budget of the Organization, States Parties should proceed with the payment of their share of the estimated costs as soon as assessment notices have been received.

Title of session: **GROUP OF GOVERNMENTAL EXPERTS OF THE STATES PARTIES TO THE CONVENTION ON CERTAIN
CONVENTIONAL WEAPONS
GENEVA, 19 - 22 June 2007**

Conference-servicing items	Meeting Servicing *	Pre-session documentation *	In-session documentation *	Summary records *	Post-session documentation *	Support Services requirements *	Other requirements *	Total *
	\$	\$	\$	\$	\$	\$	\$	\$
Interpretation and meeting servicing	69'200							69'200
Translation of documentation		41'800	54'200		41'800			137'800
Support Services requirements						3'900		3'900
Other requirements							8'700	8'700
Total	69'200	41'800	54'200	-	41'800	3'900	8'700	219'600

* - at US\$ 1=CHF 1.25

A. Total conference-servicing requirements (inclusive of 13% programme support costs)	219'600
B. Non-conference-servicing requirements*	
<i>One P-3 for six months</i>	69'000
Sub-total	69'000
<i>Programme support costs @13% over B</i>	9'000
<i>Subtotal B</i>	78'000
Grand total (rounded) A+B	297'600

X. DECLARATION ON ANTI-VEHICLE MINES

Presented by Albania, Australia, Bosnia and Herzegovina, Belgium, Bulgaria, Canada, Croatia, Denmark, El Salvador, Luxembourg, Estonia, France, Israel, Latvia, Lithuania, Netherlands, New Zealand, Norway, Republic of Korea, Romania, Serbia, Slovenia, The former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America

1. Each of our governments regrets that the Review Conference of the Convention on Certain Conventional Weapons (CCW) was not in the position to adopt by consensus a new protocol containing legally-binding commitments with respect to mines other than anti-personnel mines as defined in the Protocol on the Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (referred to as “MOTAPM” or anti-vehicle mines).
2. In view of its concern about the humanitarian impact of these weapons, each of our governments intends to take necessary steps to adopt the following practices as a matter of national policy:
 - (i) *not to use any anti-vehicle mine outside of a perimeter-marked area if that mine is not detectable.* A detectable mine is a mine that provides, upon emplacement, a response signal equivalent to a signal from eight grammes or more of iron in a single coherent mass buried five centimetres beneath the ground and can be detected by commonly-available technical mine detection equipment. A perimeter-marked area is an area that, in order to ensure the effective exclusion of civilians, is monitored by military or other authorized personnel, or protected by fencing or other means.
 - (ii) *not to use any anti-vehicle mine outside of a perimeter-marked area that does not incorporate a self-destruction or self-neutralization mechanism* that is designed and constructed so that no more than ten percent of activated mines fails to self-destruct within forty-five days after arming; and *not to use any anti-vehicle mine outside a perimeter-marked area unless it also incorporates a back-up self-deactivation feature* that is designed and constructed so that, in combination with the self-destruction or self-neutralization mechanism, no more than one in one thousand activated mines functions as a mine one hundred twenty days after arming.
 - (iii) *to prevent the transfer of any anti-vehicle mine* (a) to any recipient other than a State or State agency authorized to receive it; (b) if it does not meet the detectability and active life standards set out in this declaration, except for the purpose of destruction or for development of and training in mine detection, mine clearance, or mine destruction techniques; (c) to any State that has not stated the same policy that is set out in this declaration; and (d) without an end-user certificate.

These practices will be followed to the extent that each government deciding to take these steps does not already have in place more stringent practices to protect civilians from the potential impact of these weapons.

3. If circumstances change in the future, and it appears possible that consensus may be achieved on a protocol on anti-vehicle mines, each of our governments intends to join other governments in renewed efforts to adopt such a protocol, building on the work done on this subject over the last five years by the CCW coordinators.

4. Each of our governments encourages all States that have not announced an intention to apply the policies set out in this declaration to do so as promptly as possible.

XI. DECLARATION ON ANTI-VEHICLE MINES

Presented by France and United Kingdom of Great Britain and Northern Ireland

1. France and the United Kingdom of Great Britain and Northern Ireland were among the first countries that called for the negotiation within the CCW of a specific protocol on MOTAPM beyond the provisions of APII. Their aim all along was to have a Protocol which added significant humanitarian value to existing International Humanitarian Law.
2. For five years they have been working in this direction within the framework of the Group of Governmental Experts and within this Review Conference. They have stated that the proposal of the 30 nations was broadly acceptable subject to the provision of a transition period.
3. They have expressed their support for the text of Coordinator Ambassador Reimaa in particular the last version (CCW/GGE/XII/WG.2/1/Rev.2). This text remains the closest to their positions and commitments.
4. They have also expressed support for the work of Coordinator Ambassador Paranhos (CCW/CONF.III/7/Add.1-CCW/GGE/XV/6/Add.1) who successfully unblocked our discussions, allowing a better understanding and increased level of agreement on the key issues.
5. France and the United Kingdom of Great Britain and Northern Ireland regret that this Review Conference was not in a position to adopt by consensus a new Protocol containing legally binding obligations with respect to Mines Other than Anti-Personel Mines (MOTAPM).
6. Nevertheless, France and the United Kingdom of Great Britain and Northern Ireland will not abandon this objective. It is essential that the commitment to negotiate such a protocol in the CCW be taken here, now.
7. They share the concern of Denmark and other States about the humanitarian impact of these mines, and therefore also intend to take the necessary steps to adopt the practices contained within Denmark's declaration as a matter of national policy, rather than as a matter of law.
8. They wish to emphasise that they are not legally bound to take these steps, but as a matter of policy they intend to follow these practices, where they do not already have more stringent practices in place to protect civilians from the potential impact of these mines. They wish to recall that they need a transition period of 15 years to comply fully with the requirements of this declaration. To this end they intend to follow the detailed requirements set out in the Reimaa II document.
9. France and the United Kingdom of Great Britain and Northern Ireland wish to stress that by undertaking this commitment of cooperation and good conduct, they intend to build upon the impetus of this declaration, which they hope will lead to renewed determination to achieve consensus on a Protocol containing legally binding obligations on MOTAPM, and will add real value within the framework of the CCW. To this end they will work tirelessly next year, on the basis of the proposals made by Ambassador Paranhos, which follow on from Ambassador Reimaa's document.

XII. DECLARATION ON ANTI-VEHICLE MINES

Presented by Israel

1. Israel associates itself with the declaration made by the representative of Denmark set out in document CCW/CONF.III/WP.16 on the issue of MOTAPM which is in line with Israel's policy and practices.
2. Israel wishes to reiterate its commitment to the objective of reducing human suffering caused by irresponsible and indiscriminate use of certain conventional weapons. This commitment has been manifested by Israel becoming a party to APII.
3. In view of the increasing threat of terrorism, Israel warmly welcomes the provision of this declaration that prohibits the transfer of mines to non-state actors. Israel views this provision to be of fundamental importance in states' responsibility to prevent the transfer of arms to terrorists.
4. Israel wishes to reiterate its understanding regarding this declaration:
 - (i) Israel understands that the declaration's principles accommodate the necessary distinction between military practices that prevail during time of conflict and military practices that apply during other situations. This distinction was the understanding reached during the negotiations we held on MOTAPM in the past five years.
 - (ii) Israel understands the term "stated" in Paragraph 2(iii) of the Declaration to be in line with Article 8(1)(c) of APII, namely to indicate consent by the recipient State to apply the principles of this declaration.
5. Israel believes that this Declaration is an important contribution to the objectives of the CCW and that it could serve as a good point of departure for future negotiations on the MOTAPM Protocol within the CCW framework.

XIII. DECLARATION ON MOTAPM

Presented by Germany

1. Germany welcomes the progress made within the CCW in addressing the humanitarian risks posed by Mines other than Anti-Personnel Mines (MOTAPM). After several years of fruitful discussions, time has come to finalize a substantive CCW Protocol on MOTAPM which will strengthen international humanitarian law by providing added value to the existing CCW protocols.
2. It is regrettable that Germany's proposal to intensify negotiations on a legally binding protocol on MOTAPM, which was supported by the European Union and Japan, did not find consensus at this CCW Review Conference. Nonetheless, together with most States Parties, Germany continues to believe in the vitality of the CCW as a key multilateral mechanism of international humanitarian law. MOTAPM remain on the agenda. Negotiations should continued no later than the next meeting of States Parties to the CCW in November 2007.
3. On a national basis, Germany is applying the following policy on MOTAPM, which is more stringent than the European Union's proposals which Germany supports in the CCW context:
 - (i) MOTAPM used by the German armed forces are detectable.
 - (ii) MOTAPM used by the German armed forces are equipped with a mechanism ensuring their active life to be limited.
 - (iii) MOTAPM transferred to third states must meet the requirements of detectability and active life.
4. For more than two decades, the CCW has proven to be the ideal global forum for further strengthening international humanitarian law. It is necessary to keep up the momentum of this dynamic instrument and its unique contribution to the protection of the civilian population in the face of ever more dangerous and violent conflicts. A new Protocol on legally binding commitments with regard to detectability, active life and transfer of MOTAPM would be such a contribution. Germany remains committed to this important endeavour.

XIV. DECLARATION ON CLUSTER MUNITIONS

Presented by Austria, Belgium, Bosnia-Herzegovina, Croatia, Costa Rica, Czech Republic, Denmark, Germany, Holy See, Hungary, Ireland, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, New Zealand, Norway, Peru, Portugal, Serbia, Slovakia, Slovenia, Sweden And Switzerland

We, the Governments of Austria, Belgium, Bosnia-Herzegovina, Croatia, Costa Rica, Czech Republic, Denmark, Germany, Holy See, Hungary, Ireland, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, New Zealand, Norway, Peru, Portugal, Serbia, Slovakia, Slovenia, Sweden and Switzerland,

Recognize that cluster munitions, due to their tendencies of having indiscriminate effects and/or a high risk of becoming explosive remnants of war, are of serious humanitarian concern during and after armed conflict;

Welcome the appeal made by United Nations Secretary General Kofi Annan to take urgent action to address the issue of cluster munitions;

Recognize the fundamental contribution by civil society towards this end;

Understand, for the purpose of this declaration, cluster munitions as air-carried or ground launched dispensers that contain sub-munitions, and where each such dispenser is designed to eject sub-munitions containing explosives designed to detonate on, prior to, or immediately after impact on the identified target;

Call for an agreement that should *inter alia*:

- (a) prohibit the use of cluster munitions within concentrations of civilians;
 - (b) prohibit the development, production, stockpiling, transfer and use of cluster munitions that pose serious humanitarian hazards because they are for example unreliable and/or inaccurate;
 - (c) assure the destruction of stockpiles of cluster munitions that pose serious humanitarian hazards because they are for example unreliable and/or inaccurate, and in this context establish forms for cooperation and assistance.
-